

SENATE BILL 712

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Q5

2004 Regular Session  
(4r1576)

**ENROLLED BILL**  
-- Budget and Taxation/Ways and Means --

Introduced by **Senator Middleton**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Motor Homes and Travel Trailers - Vehicle Excise Tax - Definitions - Repeal**  
3 **Extension of Sunset**

4 FOR the purpose of ~~repealing the termination of~~ continuing for a certain length of  
5 time certain provisions that alter the definitions of "fair market value" and  
6 "total purchase price" for purposes of the vehicle excise tax imposed on a motor  
7 home or a travel trailer to exclude from the computation of the tax, subject to a  
8 certain limitation, the value of a motor home or travel trailer traded as part of  
9 the consideration for the sale; ~~repealing the termination of~~ continuing for a  
10 certain length of time certain provisions that provide that certain definitions do  
11 not apply to the calculation of the vehicle excise tax imposed on a motor home or  
12 a travel trailer until certain bonds are no longer outstanding and unpaid;  
13 requiring the Department of Transportation to submit a certain report by a  
14 certain date; and generally relating to travel trailers and motor homes.

15 BY repealing and reenacting, without amendments,  
16 Article - Transportation

1 Section 13-809(a)  
2 Annotated Code of Maryland  
3 (2002 Replacement Volume and 2003 Supplement)

4 BY repealing and reenacting, without amendments,  
5 Chapter 361 of the Acts of the General Assembly of 2001  
6 Section 3

7 BY repealing and reenacting, with amendments,  
8 Chapter 361 of the Acts of the General Assembly of 2001  
9 Section 5

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
11 MARYLAND, That the Laws of Maryland read as follows:

12 **Article - Transportation**

13 13-809.

14 (a) (1) In this section the following words have the meanings indicated.

15 (2) "Fair market value" means:

16 (i) Except as provided in item (iv) of this paragraph, as to the sale  
17 of any new or used vehicle by a licensed dealer, the total purchase price, as certified  
18 by the dealer;

19 (ii) As to a used vehicle that is sold by any person other than a  
20 licensed dealer and that has a designated model year that is 7 years old or older, the  
21 greater of:

22 1. The total purchase price; or

23 2. \$640;

24 (iii) As to any other used vehicle that is sold by any person other  
25 than a licensed dealer:

26 1. The total purchase price, if the total purchase price is less  
27 than \$500 below the retail value of the vehicle as shown in a national publication of  
28 used car values adopted for use by the Department; or

29 2. If the total purchase price is \$500 or more below the retail  
30 value of the vehicle as shown in a national publication of used car values adopted for  
31 use by the Department:

32 A. The total purchase price, if verified to the satisfaction of  
33 the Administration by a notarized bill of sale submitted in accordance with subsection  
34 (d)(2) of this section; or

1 B. The valuation shown in the national publication of used  
2 car values, if the Administration finds that the documentation submitted under  
3 subsection (d)(2) of this section fails to verify the total purchase price;

4 (iv) As to the sale of any new or used motor home or travel trailer by  
5 a licensed dealer, or a dealer licensed by another state or a foreign country, the total  
6 purchase price, as defined in paragraph (4)(ii) of this subsection, as certified by the  
7 dealer on a form acceptable to the Administration; and

8 (v) In any other case, the valuation shown in a national publication  
9 of used car values adopted for use by the Department.

10 (3) "Motor home" has the meaning stated in § 11-134.3 of this article.

11 (4) "Total purchase price" means:

12 (i) Except as provided in item (ii) of this paragraph, the price of a  
13 vehicle agreed on by the buyer and the seller, including any dealer processing charge,  
14 with no allowance for trade-in or other nonmonetary consideration; and

15 (ii) In the case of a motor home or travel trailer, the price of the  
16 motor home or travel trailer agreed on by the buyer and the seller less the value, not  
17 to exceed the value shown in a national publication of used motor home and travel  
18 trailer values adopted for use by the Department, of any motor home or travel trailer  
19 that is traded in as part of the consideration of the sale.

20 (5) "Travel trailer" has the meaning stated in § 11-170 of this article.

21 **Chapter 361 of the Acts of 2001**

22 SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding the  
23 provisions of Section 1 of this Act, the modified definitions of "fair market value" and  
24 "total purchase price" for the purposes of the calculation of the motor vehicle excise  
25 tax imposed on a motor home or a travel trailer under § 13-809(a) of the  
26 Transportation Article as enacted under Section 1 of this Act do not apply until any  
27 Consolidated Transportation Bonds that were issued by the Department of  
28 Transportation before July 1, 2001 no longer remain outstanding and unpaid;  
29 provided however, that in any fiscal year for which funds are appropriated by the  
30 General Assembly to pay the principal of and interest on the Department of  
31 Transportation's Consolidated Transportation Bonds due and payable in that fiscal  
32 year, the Motor Vehicle Administration shall collect the reduced motor vehicle excise  
33 tax imposed on a motor home or travel trailer by utilizing the modified definitions as  
34 enacted under Section 1 of this Act.

35 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect  
36 July 1, 2001. {Sections 1 and 3 of this Act shall remain effective for a period of ~~3~~ 6  
37 years and, at the end of June 30, ~~2004~~ 2007, with no further action required by the  
38 General Assembly, Sections 1 and 3 of this Act shall be abrogated and of no further  
39 force and effect.}

1     SECTION 2. AND BE IT FURTHER ENACTED, That the Department of  
2 Transportation shall track the value of trade-ins of motor homes and travel trailers  
3 for purposes of determining the impact of this Act on vehicle excise tax revenues. The  
4 Department shall submit, in accordance with § 2-1246 of the State Government  
5 Article, a report to the fiscal committees of the General Assembly on the impact to the  
6 Transportation Trust Fund and economic benefits of this Act no later than October 1,  
7 2006.

8     ~~SECTION 3.~~ AND BE IT FURTHER ENACTED, That this Act shall take  
9 effect June 1, 2004.